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10 Attorneys for Plaintiffs

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

15 JOHN ARMSTRONG, et al.,
16 Plaintiff,
17 v.
18 EDMUND G. BROWN, JR., et al.,
19 Defendant.

Case No. C94 2307 CW

**[PROPOSED] STIPULATED ORDER
CONFIRMING UNDISPUTED
ATTORNEYS' FEES AND COSTS
FOR THE FOURTH QUARTER OF
2016**

Judge: Hon. Claudia Wilken

1 On March 26, 1997, the District Court established procedures by which Plaintiffs
 2 are to collect periodic attorneys' fees and costs in this case in connection with their work
 3 monitoring Defendants' compliance with the Court's Orders and collecting fees.

4 Pursuant to these procedures, on January 24, 2017, Plaintiffs served on Defendants
 5 their Fourth Quarterly Statement for 2016 by overnight delivery. The parties completed
 6 their meet-and-confer process on March 6, 2017 as to the fees and costs incurred on all
 7 matters.

8 As a result of the March 6, 2017 agreement, the parties agree to the following:

9 The parties agree to the payment of \$1,129,185.61 to resolve all fees and costs
 10 incurred during the Fourth Quarter of 2016, for monitoring and/or litigation activities in
 11 the California Department of Corrections of Rehabilitation Division of Adult Operations
 12 and Adult Programs (CDCR AOAP) portion of the case. Attached hereto as **Exhibit A** are
 13 charts setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by
 14 the parties to settle these claims.

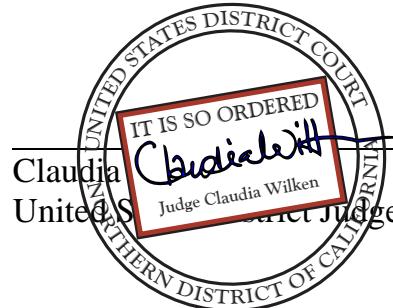
15 The parties agree to the payment of \$29,857.01 to resolve all fees and costs incurred
 16 during the Fourth Quarter of 2016, for monitoring and/or litigation activities in the Board
 17 of Parole Hearings (BPH) portion of the case. Attached hereto as **Exhibit B** are charts
 18 setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by the
 19 parties to settle these claims.

20 The parties agree to the payment of \$296,781.84 to resolve all fees and costs
 21 incurred during the Fourth Quarter of 2016, for monitoring and/or litigation activities in
 22 the Division of Adult Parole Operations (DAPO) portion of the case. Attached hereto as
 23 **Exhibit C** are charts setting forth the fees and costs claimed by Plaintiffs and the amounts
 24 agreed to by the parties to settle these claims.

25 The parties agree to the payment of \$13,849.79 to resolve all fees and costs incurred
 26 during the Fourth Quarter of 2016, for fees work. Attached hereto as **Exhibit D** are charts
 27 setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by the
 28 parties to settle these claims.

1 IT IS HEREBY ORDERED that the amounts set forth above are due and
2 collectable as of forty-five days from the date of entry of this Order. Interest on these fees
3 and costs will run from February 24, 2017, accruing at the rate provided by 28 U.S.C.
4 § 1961.

5
6 DATED: March 13, 2017



7
8
9 APPROVED AS TO FORM:

10
11 DATED: March 8, 2017

/s/Sharon A. Garske

Sharon A. Garske
Deputy Attorney General
Attorney for Defendants

12
13 DATED: March 7, 2017

/s/Gay C. Grunfeld

Gay C. Grunfeld
Rosen Bien Galvan & Grunfeld LLP
Attorney for Plaintiffs

EXHIBIT A

Armstrong v. Brown
Fourth Quarterly Statement of 2016
October 1, 2016 through December 31, 2016

CDCR/AOAP SUMMARY OF UNDISPUTED FEES AND COSTS

<u>MATTER</u>	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COSTS</u>
CDCR/AOAP MONITORING	\$1,103,696.56	\$25,489.06
	TOTAL:	\$1,129,185.61

Armstrong v. Brown

Fourth Quarterly Statement of 2016
 October 1, 2016 through December 31, 2016
Matter: CDCR/AOAP Monitoring/Merits

<u>Monitoring (581-3)</u>	Actual	Claimed	2016	Fees Now Owing	
	<u>Hours</u>	<u>Hours</u>	<u>Rates</u>	<u>Total</u>	<u>Based on Negotiated Compromise</u>
<u>ROSEN, BIEN, GALVAN & GRUNFELD</u>					
Michael W. Bien (MWB)	3.70	3.70	\$900	\$3,330.00	\$3,230.10
Gay C. Grunfeld (GCG)	28.90	28.90	\$790	\$22,831.00	\$22,146.07
Ernest Galvan (EG)	0.40	0.00	\$740	\$0.00	\$0.00
Penny Godbold (PG)	182.80	181.60	\$650	\$118,040.00	\$114,498.80
Thomas Nolan (TN)	192.90	190.70	\$610	\$116,327.00	\$112,837.19
Lisa Ells (LAE)	4.70	3.70	\$600	\$2,220.00	\$2,153.40
Ben Bien-Kahn (BBK)	93.00	88.00	\$490	\$43,120.00	\$41,826.40
Krista Stone-Manista (KSM)	118.20	113.10	\$490	\$55,419.00	\$53,756.43
Pablo Lastra (PAL)	132.70	109.70	\$435	\$47,719.50	\$46,287.92
Jenny Yelin (JY)	6.40	0.00	\$475	\$0.00	\$0.00
Christopher Hu	7.20	0.00	\$410	\$0.00	\$0.00
Karen Stilber (KES)	94.90	91.80	\$300	\$27,540.00	\$26,713.80
Linda Woo (LHW)	22.70	22.10	\$300	\$6,630.00	\$6,431.10
F. Gail LaPurja (FGL)	4.10	0.00	\$275	\$0.00	\$0.00
Greg Gonzalez (GZG)	26.10	18.20	\$275	\$5,005.00	\$4,854.85
Katherine Hamilton (KCH)	288.50	250.30	\$230	\$57,569.00	\$55,841.93
Charlotte Landes (CJL)	11.00	0.00	\$230	\$0.00	\$0.00
Kelly McGraw (KAM)	230.00	218.90	\$230	\$50,347.00	\$48,836.59
Nathalie Welch (NW)	50.40	41.10	\$230	\$9,453.00	\$9,169.41
RBGG CLAIMED FEES:	Total Hours: 1,498.60	1,361.80		\$565,550.50	\$548,583.99
<u>PRISON LAW OFFICE</u>					
Donald Specter (DS)	15.70	15.70	\$900	\$14,130.00	\$13,706.10
Steve Fama (SF)	3.20	3.20	\$850	\$2,720.00	\$2,638.40
Sara Norman (SN)	57.40	57.40	\$750	\$43,050.00	\$41,758.50
Alison Hardy (AH)	25.10	25.10	\$740	\$18,574.00	\$18,016.78
Corene Kendrick (CK)	167.30	167.30	\$650	\$108,745.00	\$105,482.65
Rita Lomio (RL)	173.70	173.70	\$565	\$98,140.50	\$95,196.29
Margot Mendelson (MM)	56.00	56.00	\$490	\$27,440.00	\$26,616.80
Sia N. Henry (SNH)	73.80	73.80	\$400	\$29,520.00	\$28,634.40
Mae Ackerman-Brimberg (MAB)	14.50	14.50	\$375	\$5,437.50	\$5,274.38
Amber Norris (AN)	225.50	225.50	\$310	\$69,905.00	\$67,807.85
Joseph E. Bear (JEB)	56.90	56.90	\$250	\$14,225.00	\$13,798.25
Laura Graham (LG)	33.70	33.70	\$250	\$8,425.00	\$8,172.25
Isaac Dalke (ID)	59.70	59.70	\$250	\$14,925.00	\$14,477.25
Meg O'Neill (MO)	17.50	17.50	\$250	\$4,375.00	\$4,243.75
Megan Lynch (ML)	201.90	201.90	\$300	\$60,570.00	\$58,752.90
Ehsan Sadeghi (ES)	111.80	111.80	\$250	\$27,950.00	\$27,111.50
Sarah Hopkins	95.7	95.7	\$250	\$23,925.00	\$23,207.25
PLO CLAIMED FEES:	Total Hours: 1,389.40	1,389.40		\$572,057.00	\$554,895.29
<u>DISABILITY RIGHTS EDUCATION AND DEFENSE FUND</u>					
Hongyu Min (HM)	1.40	1.40	\$160	\$224.00	\$217.28
DREDF CLAIMED FEES:	Total Hours: 1.40	1.40		\$224.00	\$217.28
TOTAL CLAIMED CDCR/AOAP MONITORING FEES:					
				\$1,137,831.50	\$1,103,696.56

Armstrong v. Brown

Fourth Quarterly Statement of 2016
 October 1, 2016 through December 31, 2016
Costs

Matter: CDCR/AOAP Merits/Monitoring

		Costs Now Owing Based On <u>Negotiated Compromise</u>
	<u>Costs</u>	
Rosen, Bien, Galvan & Grunfeld (581-3)		
Photocopying (In house)	\$2,362.40	\$2,291.53
Photocopying/printing (Outside)	\$1,355.00	\$1,314.35
Translation/Interpreter Services	\$646.95	\$627.54
Online Research - PACER, Westlaw	\$72.79	\$70.61
Postage & Delivery	\$479.57	\$465.18
Telephone	\$21.25	\$20.61
Travel - Mileage, Tolls, Food	<u>\$5,881.03</u>	<u>\$5,704.60</u>
Total RBGG Costs:	\$10,818.99	\$10,494.42
Prison Law Office		
Photocopying (In house)	\$1,084.40	\$1,051.87
Interpreter services	\$1,340.00	\$1,299.80
Travel - Mileage, Tolls, Food	\$11,978.59	\$11,619.23
Postage & Delivery	<u>\$974.25</u>	<u>\$945.02</u>
Total PLO Costs:	\$15,377.24	\$14,915.92
Disability Rights Education & Defense Fund, Inc.		
Photocopying (in-house)	\$63.60	\$61.69
Postage & Delivery	<u>\$17.55</u>	<u>\$17.02</u>
Total DREDF Costs:	\$81.15	\$78.72
TOTAL CLAIMED CDCR/AOAP MERITS/MONITORING COSTS:	\$26,277.38	\$25,489.06

EXHIBIT B

Armstrong v. Brown
Fourth Quarterly Statement of 2016
October 1, 2016 through December 31, 2016

BPH SUMMARY OF UNDISPUTED FEES AND COSTS

<u>MATTER</u>	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COSTS</u>
BPH	\$29,399.73	\$457.28
	TOTAL:	\$29,857.01

Armstrong v. Brown

Fourth Quarterly Statement of 2016
 October 1, 2016 through December 31, 2016
Matter: BPH

<u>BPH (581-4)</u>	Actual	Claimed	2016	Fees Now Owing	
	<u>Hours</u>	<u>Hours</u>	<u>Rates</u>	<u>Total</u>	<u>Based on Negotiated Compromise</u>
<u>BPH MONITORING (581-4)</u>					
<u>ROSEN, BIEN, GALVAN & GRUNFELD</u>					
Michael W. Bien (MWB)	0.3	0	\$900	\$0.00	\$0.00
Ernest Galvan (EG)	1	1	\$740	\$740.00	\$717.80
Gay C. Grunfeld (GCG)	0.50	0.50	\$790	\$395.00	\$383.15
Thomas Nolan (TN)	25.50	25.50	\$610	\$15,555.00	\$15,088.35
F. Gail LaPurja (FGL)	0.10	0.00	\$230	\$0.00	\$0.00
Katherine Hamilton (KCH)	10.80	10.40	\$230	\$2,392.00	\$2,320.24
Total Hours:	36.90	36.40			
RBGG CLAIMED FEES:				\$19,082.00	\$18,509.54
<u>PRISON LAW OFFICE</u>					
Sara Norman (SN)	0.40	0.40	\$750	\$300.00	\$291.00
Rana Anabtawi (RA)	22.30	22.30	\$490	\$10,927.00	\$10,599.19
Total Hours:	0.40	0.40			
PLO CLAIMED FEES:				\$11,227.00	\$10,890.19
TOTAL CLAIMED FEES FOR					
BPH WORK:				\$30,309.00	\$29,399.73

Armstrong v. Brown
 Fourth Quarterly Statement of 2016
 October 1, 2016 through December 31, 2016
Costs

Matter: BPH

	<u>Costs</u>	<u>Costs Now Owing Based On Negotiated Compromise</u>
<u>Rosen, Bien, Galvan & Grunfeld (581-4)</u>		
Photocopying (In house)	\$69.60	\$67.51
Travel - Mileage, Tolls, Food	\$165.25	\$160.29
Total RBGG Costs:	\$234.85	\$227.80
<u>Prison Law Office</u>		
Travel - Mileage, Tolls, Food	\$236.57	\$229.47
Total PLO Costs:	\$236.57	\$229.47
TOTAL CLAIMED BPH COSTS:	\$471.42	\$457.28

EXHIBIT C

Armstrong v. Brown
Fourth Quarterly Statement of 2016
October 1, 2016 through December 31, 2016

DAPO SUMMARY OF UNDISPUTED FEES AND COSTS

<u>MATTER</u>	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COST</u>
DAPO MONITORING	\$289,762.77	\$7,019.08
	TOTAL CLAIMED:	\$296,781.84

Armstrong v. Brown

Fourth Quarterly Statement of 2016
 October 1, 2016 through December 31, 2016
Matter: DAPO Monitoring

<u>DAPO Monitoring (581-9)</u>	Actual	Claimed	2016	Fees Now Owing	
	Hours	Hours	Rates	Total	Based on Negotiated Compromise
ROSEN, BIEN, GALVAN & GRUNFELD					
Michael W. Bien (MWB)	1.50	1.50	\$900	\$1,350.00	\$1,309.50
Gay C. Grunfeld (GCG)	48.50	48.50	\$790	\$38,315.00	\$37,165.55
Ernest Galvan (EG)	0.90	0.90	\$740	\$666.00	\$646.02
Penny Godbold (PG)	101.80	98.90	\$650	\$64,285.00	\$62,356.45
Thomas Nolan (TN)	18.00	18.00	\$610	\$10,980.00	\$10,650.60
Benjamin Bien-Kahn (BBK)	69.60	63.20	\$490	\$30,968.00	\$30,038.96
Krista Stone-Manista (KSM)	29.20	27.00	\$490	\$13,230.00	\$12,833.10
Jenny S. Yelin (JSY)	73.00	68.90	\$475	\$32,727.50	\$31,745.68
Pablo Lastra (PAL)	83.20	77.50	\$435	\$33,712.50	\$32,701.13
Christopher Hu (CDH)	36.40	34.40	\$410	\$14,104.00	\$13,680.88
Karen Stilber (KES)	16.60	14.80	\$300	\$4,440.00	\$4,306.80
F. Gail LaPurja (FGL)	25.20	20.70	\$275	\$5,692.50	\$5,521.73
Kelly McGraw (KAM)	63.80	56.20	\$230	\$12,926.00	\$12,538.22
Katherine Hamilton (KCH)	2.50	0.00	\$230	\$0.00	\$0.00
Fely Villadelgado (FFV)	0.50	0.00	\$275	\$0.00	\$0.00
Nathalie Welch (NCW)	203.50	153.60	\$230	\$35,328.00	\$34,268.16
Total Hours:	774.20	684.10			
RBGG CLAIMED FEES:				\$298,724.50	\$289,762.77
TOTAL CLAIMED FOR DAPO MONITORING WORK:				\$298,724.50	\$289,762.77

Armstrong v. Brown
 Fourth Quarterly Statement of 2016
 October 1, 2016 through December 31, 2016
Costs

Matter: DAPO Monitoring

<u>Rosen, Bien, Galvan & Grunfeld (581-9)</u>	<u>Costs</u>	<u>Costs Now Owing Based On Negotiated Compromise</u>
Photocopying (in-house)	\$1,774.40	\$1,721.17
Photocopying (outside)	\$214.64	\$208.20
Interpreting Services	\$351.60	\$341.05
Process Serving (subpoena - multiple attempts)	\$1,152.50	\$1,117.93
Westlaw	\$57.55	\$55.82
Long distance telephone charges	\$24.40	\$23.67
Outside Postage & Delivery	\$88.59	\$85.93
Inhouse Postage	\$43.50	\$42.20
Travel - Mileage, Tolls, Food	<u>\$3,528.98</u>	<u>\$3,423.11</u>
Total RBGG Costs:	\$7,236.16	\$7,019.08
TOTAL CLAIMED DAPO MONITORING COSTS:	\$7,236.16	\$7,019.08

EXHIBIT D

Armstrong v. Brown
Fourth Quarterly Statement of 2016
October 1, 2016 through December 31, 2016

SUMMARY OF UNDISPUTED FEES WORK AND COSTS

	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COSTS</u>
FEES WORK (ALL MATTERS)	\$13,599.40	\$250.39
	TOTAL:	\$13,849.79

Armstrong v. Brown

Fourth Quarterly Statement of 2016
 October 1, 2016 through December 31, 2016
Matter: All Matters Fees Work

<u>Fees (581-2)</u>	Actual	Claimed	2016	Fees Now Owing	
	<u>Hours</u>	<u>Hours</u>	<u>Rates</u>	<u>Total</u>	<u>Based on Negotiated Compromise</u>
<u>ROSEN, BIEN, GALVAN & GRUNFELD</u>					
Gay C. Grunfeld (GCG)	9.30	9.30	\$790	\$7,347.00	\$7,126.59
Benjamin Bien-Kahn (BBK)	0.10	0.00	\$490	\$0.00	\$0.00
Karen E. Stilber (KES)	17.70	16.70	\$300	\$5,010.00	\$4,859.70
Total Hours:	27.10	26.00		\$12,357.00	\$11,986.29
RBGG CLAIMED FEES:					
<u>PRISON LAW OFFICE</u>					
Corene Kendrick (CK)	0.9	0.9	\$650	\$585.00	\$567.45
Ashley Kirby (AK)	4.6	4.6	\$200	\$920.00	\$892.40
Total Hours:	5.50	5.50		\$1,505.00	\$1,459.85
PLO CLAIMED FEES:					
<u>DISABILITY RIGHTS EDUCATION AND DEFENSE FUND</u>					
Linda Kilb (LDK)	0.20	0.20	\$790	\$158.00	\$153.26
Total Hours:	0.20	0.20		\$158.00	\$153.26
DREDF CLAIMED FEES:					
TOTAL CLAIMED FEES FOR ARMSTRONG FEES WORK:				\$14,020.00	\$13,599.40

Armstrong v. Brown

Fourth Quarterly Statement of 2016
 October 1, 2016 through December 31, 2016
Costs

Matter: Fees Work in All Matters

	<u>Costs</u>	<u>Costs Now Owing Based On Negotiated Compromise</u>
<u>Rosen, Bien, Galvan & Grunfeld (581-2)</u>		
Photocopying and Printing (in-house)	\$212.60	\$206.22
Postage & Delivery	\$41.93	\$40.67
Total RBGG Costs:	\$254.53	\$246.89
<u>Disability Rights Education & Defense Fund, Inc.</u>		
Photocopying (in-house)	\$3.60	\$3.49
Total DREDF Costs:	\$3.60	\$3.49
TOTAL CLAIMED FEES WORK COSTS :	\$258.13	\$250.39